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ITALY 8

Decree: Employment of Women before and after Childbirth

Regio decreto 28 agosto 1930, n. 1358. Norme di attuazione del R. decreto-legge 13 maggio 1929, n. 850, per la tutela delle operaie ed impiegate durante lo stato di gravidanza e di puerperio. Numero di pubblicazione 1687. (Gazzetta Ufficiale, 9 ottobre 1930, anno 71^o (VIII), n. 236, p. 4107.)

Royal Decree no. 1358, to issue regulations for the administration of Legislative Decree no. 850 of 13th May, 1929¹, respecting the protection of female wage-earning and salaried employees during pregnancy and confinement. Dated 28th August, 1930.

Scope.

1. For the purposes of section 1 of Legislative Decree no. 850 of 13th May, 1929¹, all establishments in which operations connected with industry, commerce, credit, welfare or relief or the administration of public services are carried on shall be deemed to be industrial or commercial establishments, irrespective of the number of persons employed and even if the occupier does not carry on the undertaking for gain.

The establishments mentioned above shall include hotels, telephone undertakings, theatres and public entertainment undertakings, hospitals and curative, convalescent or educational establishments.

2. Institutions for vocational training and convalescent or educational establishments shall be bound to comply with the provisions of the Legislative Decree with respect to female pupils, wage-earning employees, assistants and salaried employees employed in the workshops or laboratories managed by the said institutions.

In addition, the above-mentioned institutions and establishments shall be bound to comply with the provisions of the said Legislative Decree with respect to persons employed in washing, ironing, cooking, cleaning and the like within the said institutions and establishments.

The Minister of Corporations may exempt the above-mentioned institutions and establishments from compliance with all or certain of the provisions of the Legislative Decree, subject to the requisite guarantees where necessary, if the nature of the work, the hours worked and the hygienic condition of the premises where the work is carried on render it possible to employ women during pregnancy or after confinement without prejudice to their special physiological condition at the time.

3. Undertakings carried on directly by the State, a province, a commune or other public body in which under the provisions of Acts or regulations the employees are guaranteed treatment not less favourable than that provided for in the Legislative Decree and these Regulations shall comply with the aforesaid provisions.

¹ Legislative Series, 1929 (It. 3).

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The undertakings in question shall be specified by a Decree of the Minister of Corporations issued in agreement with the Minister responsible for supervising the said undertakings.

4. For the purposes of Legislative Decree no. 850 of 13th May, 1929, a woman whose employment is governed by Legislative Decree no. 1825 of 13th November, 1924², shall be deemed to be a salaried employee.

Female apprentices and pupils shall be deemed to be wage-earning or salaried employees.

The provisions of Legislative Decree no. 850 of 13th May, 1929¹, shall not apply to women employed in homework.

5. For the purposes of the second paragraph of section 1 of the Legislative Decree, the family shall be deemed to consist of relatives by blood or marriage within the fourth degree who live together or have joint property or common interests and income or common profits, exclusive in every case of relatives by blood or marriage who are employed in the undertaking for a wage or salary, even if such wage or salary is paid in the form of a share in the profits.

Extension of maternity benefit to women employed in agricultural work.

6. The provisions of the Legislative Decree shall be extended to women employed in specially heavy agricultural work by a Royal Decree issued on the recommendation of the Minister of Corporations after consultation with the National Council of Corporations.

Certificate of pregnancy.

7. Female wage-earning and salaried employees in the undertakings covered by the Legislative Decree who are pregnant shall be bound to furnish the employer during the sixth month of pregnancy with a medical certificate stating the period of pregnancy and the expected date of the confinement.

The said certificate shall be drawn up in conformity with a model approved by a Decree of the Minister of Corporations, and may be issued by a health officer, a medical practitioner belonging to a recognised relief institution, a factory medical officer or the medical attendant of the pregnant woman.

If the certificate is issued by the medical attendant of the pregnant woman, it shall be countersigned by the health officer.

8. Failure to furnish the certificate of pregnancy shall not exempt the employer from the duty of requesting its production at any time for the purpose of compliance with the Legislative Decree if a woman is obviously advanced in pregnancy.

In this case the employer may require the woman to undergo a medical examination for the purpose of the issue of the certificate referred to in the preceding section.

Failure on the part of the woman to comply with the request of the employer shall constitute a sufficient reason for the immediate termination of the employment.

² Legislative Series, 1924 (It. 3).

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9. The employer shall be bound to give the woman a receipt for the certificate of pregnancy.

The said certificate shall be kept by the employer for a year.

Protection of pregnant women during the period immediately preceding the period of compulsory absence from work.

10. As from the date of the production of the certificate of pregnancy it shall not be lawful to dismiss a woman during the remainder of the period of pregnancy for which she may be employed if she continues to perform her work regularly in the undertaking, except in case of misconduct constituting a sufficient reason for the termination of the employment, or in case of the indefinite suspension of work in the undertaking or the branch thereof in which the woman is employed.

The woman shall further be entitled to absent herself from work from the beginning of the sixth week prior to the estimated date of the confinement as stated in the certificate of pregnancy, without prejudice to her compulsory absence from work for the period specified in sections 1 and 2 of the Legislative Decree.

If the woman avails herself of this right, the employer shall be bound to keep her post open also during the whole period preceding the aforesaid compulsory period of absence.

In addition, the employer shall be bound to hand over to her on the date from which she absents herself from work the documents referred to in section 14 of these Regulations.

Compulsory absence of women from work during the month preceding and the month following childbirth.

11. The estimated date of confinement as stated in the certificate of pregnancy shall notwithstanding any mistake in the prediction be deemed to be the date thereof for the purposes of the prohibition of the woman's employment during the month preceding the said date and for the purposes of the obligation to keep the post open in accordance with sections 1 and 3 of the Legislative Decree.

By way of exception a woman may continue to be employed until three weeks before the estimated date of confinement as stated in the certificate of pregnancy, subject to production of another certificate, issued by a health officer, a factory medical officer or a medical practitioner of a recognised relief institution, stating that the employment will not cause any prejudice to the woman or her child.

The said certificate shall be drawn up in accordance with the model approved by a Decree of the Minister of Corporations.

The certificate shall be kept by the employer for one year.

12. If confinement takes place after the estimated date given in the certificate of pregnancy, the employer shall be bound to keep the woman's post open for her for the whole of the further period preceding the confinement, without prejudice to the obligation to keep the post open for the whole of the period following the confinement as provided in sections 1 and 3 of the Legislative Decree.

13. A confinement which takes place after the sixth month of pregnancy shall be deemed to be a case of premature delivery and shall

be treated in the same way as delivery at term for all the purposes of the prohibition of the employment of the woman and the keeping open of her post.

In this case the employer shall be bound to deliver to the woman the documents specified in the following section.

14. When a woman leaves an undertaking in pursuance of a certificate as specified in section 7 or 11 of these Regulations, the employer shall be bound to deliver to her:—

1. the social insurance card, provided that it has not already been given to her in pursuance of the last paragraph of section 17 because she has been absent from work owing to illness and has not resumed work;
2. a certificate of suspension of employment on account of pregnancy in the form approved by a Decree of the Minister of Corporations issued after consultation with the National Social Insurance Institution.

The aforesaid certificate shall be issued even if the certificate prescribed in the second paragraph of section 17 for absence owing to illness has already been issued to the woman because she has been absent from employment and has not resumed work.

Absence from work owing to illness arising out of pregnancy or confinement.

15. If a woman is obliged to absent herself from work owing to illness arising out of pregnancy or confinement before the compulsory period of absence from work prior to the confinement or after the corresponding period following the confinement, she shall be bound to justify her absence by furnishing the employer with a certificate issued by a health officer, a factory medical officer or a medical practitioner of a recognised relief institution certifying the necessity for the woman to abstain from work and the period of rest prescribed.

The medical certificate shall be kept by the employer for a period of one year.

16. Accidental miscarriage or miscarriage brought about for therapeutic reasons at any stage of pregnancy, exclusive of criminal abortion, shall be deemed to be illness arising out of pregnancy for the purposes of the keeping open of the woman's post as provided in section 3 of the Legislative Decree.

In this case the certificate referred to in the preceding section shall be issued by the medical practitioner who has notified the miscarriage in pursuance of section 1 of the Regulations approved by Royal Decree no. 3112 of 6th December, 1928³; the certificate shall also state the date at which the miscarriage occurred and the approximate stage of development of the foetus.

17. If the woman fails to furnish the medical certificate referred to in sections 15 and 16, the employer shall be entitled to consider her

³ Decree issuing administrative regulations under Act no. 1070 of 23rd June, 1927, to lay down certain provisions relating to public health (Gazzetta Ufficiale, 16th January, 1929, vol. 70 (VII), no. 13, p. 241).

absence as not justified for the purposes of the keeping open of the post in pursuance of section 3 of the Legislative Decree.

When the woman furnishes the medical certificate, the employer shall be bound to give her a certificate of suspension of employment owing to illness arising out of pregnancy or confinement in the form approved by a Decree of the Minister of Corporations issued after consultation with the National Social Insurance Institution.

The employer shall also be bound to deliver the social insurance card to the woman.

Readmission of women to employment.

18. If a woman proposes to resume work at the end of the month following her confinement, the employer shall require her to produce a medical certificate from a registrar of births or a certificate giving the date of the confinement, issued by the medical practitioner or midwife who assisted at the confinement and countersigned by the mayor.

If a woman desires to be readmitted to employment on the expiry of three weeks after her confinement, the employer shall also require the production of a certificate issued by a health officer, a factory medical officer or a medical practitioner of a recognised relief institution certifying that the woman's state of health admits of her resuming work on the expiry of the said period.

The certificates specified in the two preceding paragraphs shall be kept by the employer for one year.

19. If the employer has replaced a woman whose post he is bound to keep open in pursuance of the Legislative Decree by another employee, the resumption of work by the woman in question shall entitle the employer to terminate without notice or compensation the contract of employment of the person who replaced the woman during her absence from work.

Rooms for nursing.

20. The obligation to provide rooms for nursing laid down in the last paragraph of section 10 of Act no. 818 (consolidated text) of 10th November, 1907⁴, relating to the employment of women and children, shall be extended to all the undertakings covered by the Legislative Decree, provided that not less than fifty women in all between fifteen and fifty years of age, whether wage-earning or salaried employees, are employed therein within the meaning of the said section 10.

The Minister of Corporations may grant exemption from the obligation to provide rooms for nursing if there are in the undertaking or in the vicinity thereof institutions for the benefit of nursing mothers in which working mothers can conveniently nurse their infants.

21. The premises utilised as rooms for nursing shall comply with the conditions laid down in section 34 of the general regulations respecting industrial hygiene approved by Royal Decree no. 530 of 14th April, 1927⁵.

⁴ Bulletin of the International Labour Office (Basle), vol. II, 1907, p. 578.

⁵ Legislative Series, 1927 (It. 4).

Breaks for nursing.

22. The daily breaks for nursing provided for in section 5 of the Legislative Decree shall be deemed to be time actually worked by the working mothers, and payment shall be made for them at the ordinary rate, including any additional allowances.

The breaks shall be shown in a time-table posted up in a conspicuous place in the workrooms if mothers who are nursing their own children are employed in the undertaking.

Maternity insurance contributions.

23. The compulsory annual contribution for maternity insurance provided for in section 3 of Act no. 2157 (consolidated text) of 24th September, 1923⁶, shall be paid during the month of March in each year in respect of all female wage-earning and salaried employees between fifteen and fifty years of age employed in the said month in undertakings covered by the Legislative Decree.

If a female wage-earning or salaried employee is dismissed during the period from 1st January to 31st March, the employer shall pay the contribution before giving her her social insurance card.

With respect to female wage-earning and salaried employees engaged after 31st March for whom the contribution has not yet been paid and to those who attain the age of fifteen years during the year in question, the obligation to pay the contribution shall apply as from the date of the engagement or the date on which the woman attains the age of fifteen years, and the contribution shall be paid not later than the seventh day thereafter.

24. The contribution shall be paid by the employer by means of the affixing of the appropriate stamp to the social insurance card for each female wage-earning or salaried employee.

Stamps shall be affixed to the card in the order of the spaces and without leaving blank spaces between any stamp and the stamps for other branches of social insurance; each stamp shall be cancelled by the employer by the writing thereon in indelible ink of the date on which it is affixed.

25. The maternity insurance stamps shall cover both the part of the contribution payable by the employer and the part payable by the female wage-earning or salaried employee.

The rules issued for invalidity and old age insurance stamps shall apply with respect to the printing of the stamps, any subsequent alteration thereof and the sale and counterfeiting thereof.

Allowance for childbirth.

26. Female wage-earning and salaried employees from fifteen to fifty years of age shall be entitled to an allowance of 150 lire in case of childbirth and 100 lire in case of a miscarriage, provided that at the date of the childbirth or miscarriage not less than six months in case of premature delivery or nine months in case of delivery at term and not less than three months in the case of a miscarriage have elapsed since the date of their admission to employment in an undertaking

⁶ Legislative Series, 1923 (It. 3).

covered by the Legislative Decree, and that the total number of days on which they have been employed in the said undertaking is not less than a fortnight in the period of 360 days preceding the childbirth or miscarriage.

A woman shall not be entitled to the aforesaid allowance if more than nine months have elapsed since the date when she last left the undertaking in question.

27. Premature delivery as specified in section 13 shall be deemed to be equivalent to delivery at term for the purposes of the right to the allowance for childbirth.

Accidental miscarriage or that brought about for therapeutic reasons (exclusive of criminal abortion) shall give a right to the allowance if it occurs after the third month of pregnancy.

In the case of a miscarriage the application for the allowance must be made not more than a fortnight from the date of the miscarriage; otherwise the claim shall lapse.

28. The allowance shall be paid to the lying-in woman or to a person designated by her.

If the lying-in woman dies and the child survives, the allowance shall be paid to the husband or to any other persons who undertake the care of the child.

If both mother and child die, the allowance shall be paid to the husband or to any other persons who have had the care of the mother and child.

In the event of miscarriage followed by the death of the woman in question, the allowance shall be paid as provided in the preceding paragraph.

29. If a charge of criminal abortion is brought, payment of the allowance shall be suspended until the termination of the penal proceedings.

In case of criminal abortion the allowance shall not be forfeited otherwise than in pursuance of a penal sentence.

Unemployment benefit.

30. Female wage-earning and salaried employees between fifteen and fifty years of age who are liable to insurance against unemployment in accordance with the provisions of Royal Decree no. 3158 of 30th December, 1923⁷, and who absent themselves from work in the cases specified in sections 1, 2 and 3 of Legislative Decree no. 850 of 13th May, 1929¹, shall be entitled with respect to the period of absence from work to unemployment benefit, increased by 0.50 lira a day, in accordance with the provisions of the above-mentioned Royal Decree, in so far as the said provisions are applicable and there is no provision to the contrary in the following sections.

31. The benefit shall be payable for the periods of absence from work specified in the Legislative Decree, provided that:—

1. the woman has been employed in undertakings covered by the Legislative Decree for not less than twenty days during the two months preceding the aforesaid periods;

⁷ Legislative Series, 1923 (It. 10).

2. at least half the contributions prescribed in Royal Decree no. 3158 of 30th December, 1923⁷, have been paid in respect of the woman.

32. The benefit shall be paid from the first day of absence from work; nevertheless, if the woman fails to send in her application in due time, she shall forfeit the right to unemployment benefit for the period preceding the confinement until the day on which the application is made.

33. The period for which benefit in case of absence from work as provided in the Legislative Decree is payable to female wage-earning or salaried employees shall be taken into account as to one-half for the purposes of the duration of the benefit to which the woman concerned would have been entitled under Royal Decree no. 3158 of 30th December, 1923.

34. The benefit shall not be payable to a woman in respect of any period during which she is entitled in case of pregnancy or childbirth to payment of her wages or salary in full by the employer in pursuance of legislative provisions.

35. The increase of the benefit by 0.50 lira a day provided for in the last paragraph of section 8 of the Legislative Decree shall be due to the woman even if at the beginning of the last month of pregnancy she is in receipt of unemployment benefit in accordance with Royal Decree no. 3158 of 30th December, 1923⁷.

The said increase shall be granted at the request of the woman from the beginning of the last month of pregnancy, for the period of absence from work prescribed in sections 1, 2 and 3 of the Legislative Decree, until the expiry of the period for which benefit is payable in pursuance of Legislative Decree no. 3158 of 30th December, 1923⁷.

36. In the event of a charge of criminal abortion, the provisions of section 29 shall apply with respect to the suspension and forfeiture of unemployment benefit.

37. If the lying-in or pregnant woman dies, the provisions of section 28 shall apply with respect to the payment of the instalments of unemployment benefit which are due but have not been drawn.

38. The benefit for the period of absence from work following the childbirth or miscarriage shall not be payable if the woman fails to apply for it within a fortnight of the expiry of the period for which benefit is payable.

The application for benefit in case of sickness arising out of pregnancy or confinement shall be made during the period of absence from work; otherwise the claim shall lapse.

Procedure for the payment of unemployment benefit and allowances for childbirth.

39. In order to obtain payment of the benefit or allowance, the female wage-earning or salaried employee shall apply for it to the provincial office of the National Social Insurance Institution.

The application shall in every case give the following particulars, viz., name in full, date of birth and maiden name of the woman, the commune of residence, the address of the house in which she is living or the institution in which she is being cared for; the application shall

be accompanied by the social insurance card and the documents specified in the following sections.

If the woman is not in possession of the aforesaid insurance card, she shall state in the application the name of the undertaking in which the card is retained; if she has no card, she shall specify the undertaking or undertakings in which she has been employed during the last year.

40. If a woman applies for unemployment benefit on account of illness arising from pregnancy, she shall attach to the application specified in the preceding section the certificate issued to her by the employer in pursuance of the second paragraph of section 17.

If the absence from work continues until the beginning of the last month of pregnancy, the woman shall submit the certificate issued to her by the employer in pursuance of section 14 in order to be entitled to continue to receive unemployment benefit.

41. In case of miscarriage, the woman shall attach to the application a copy of the medical certificate specified in section 16 and the certificate of the employer provided for in section 17.

42. If a woman applies for unemployment benefit at the beginning of the period of compulsory absence from work preceding the expected date of her confinement, she shall attach the certificate issued to her by the employer in pursuance of section 14 to the application referred to in section 39, to supplement the other documents appended thereto.

43. On the occurrence of the confinement the woman shall be entitled to draw the first half of the allowance for childbirth, amounting to 75 lire, within seven days of the date of the confinement, in conformity with section 4 of the consolidated text of Act no. 2157 of 24th September, 1923⁶, provided that within two days of the confinement she sends in the application referred to in section 39, attaching thereto merely a certificate issued by the office of the registrar of births or a certificate issued by a medical practitioner or by a midwife and countersigned by the mayor, giving the date of the birth and the name of the mother of the child.

If the documents are sent in late, the period of seven days shall begin to run from the day on which the documents in question are received.

The other half of the allowance, amounting to 75 lire, shall be paid within five days of the end of the period of absence from work.

44. In the case specified in the preceding section a woman who has already applied for unemployment benefit for the period of absence from work preceding the confinement shall send in merely the certificate specified in the said section to supplement the documents already submitted.

45. In case of illness arising from the confinement, if the woman desires to continue to receive unemployment benefit on the expiry of a period of thirty days after the confinement, she shall be bound to send in the certificate issued to her by the employer in pursuance of section 17 to supplement the documents already submitted.

Repayment and forfeiture of unemployment benefit and allowances for childbirth.

46. If an employer engages a pregnant or lying-in woman in an undertaking covered by the Legislative Decree during the period prescribed for her absence from work, he shall be bound to repay to the National Maternity Fund the portion of the allowance for childbirth due to the woman in question at the date of her admission to employment, without prejudice to the penalties under criminal law which he has incurred in pursuance of the Legislative Decree.

47. A pregnant or lying-in woman who resumes work in an undertaking not covered by the Legislative Decree during the prescribed period of rest shall lose the right to unemployment benefit and the allowance for childbirth and to the part thereof which has not yet been drawn at the time when she resumes work.

Calculation of the periods of absence from work for the purposes of social insurance.

48. On the occasion of the payment of the unemployment benefit or allowance for childbirth, particulars of the period of absence from work to be taken into account within the meaning and for the purposes of section 9 of the Legislative Decree shall be entered in the work book of the insured female wage-earning or salaried employee concerned and in the relevant insurance records.

Special provisions for the new provinces.

49. The compulsory maternity insurance referred to in Act no. 2157 (consolidated text) of 24th September, 1923⁸, Legislative Decree no. 850 of 13th May, 1929¹, and these Regulations shall not apply to female wage-earning and salaried employees liable to sickness insurance within the meaning of Legislative Decree no. 2146 of 29th November, 1925⁸.

Administration and operation of the National Maternity Fund.

50. The Maternity Fund referred to in section 1 of Act no. 2157 (consolidated text) of 24th September, 1923⁸, shall be entitled "National Maternity Fund" (Cassa nazionale di maternità).

51. The National Maternity Fund shall be managed by the National Social Insurance Institution.

The executive committee and the governing body of the National Social Insurance Institution shall deal with all matters not provided for in these Regulations, each within its own jurisdiction.

52. The governing body of the National Maternity Fund shall consist of the following persons:—

1. the president of the National Social Insurance Institution; he or the acting vice-president of the Institution shall be chairman;
2. the representatives of the Ministry of Corporations and the Ministry of Finance on the governing body of the National Social Insurance Institution, and one representative of the Ministry of the Interior;

⁸ Legislative Decree to extend to the new provinces the Acts respecting social insurance. (Gazzetta Ufficiale, 1925, p. 4886.)

3. three representatives of employers on the governing body of the National Social Insurance Institution, elected by the said governing body, one from among the representatives of the Fascist General Confederation of Italian Industry and the other two from among the representatives of the Fascist National Confederation of Persons engaged in Commerce, the Fascist General Banking Confederation and the Fascist National Confederation for Land Transport and Inland Navigation;
 4. three representatives of employees on the governing body of the National Social Insurance Institution, elected by the said governing body, one from among the representatives of the National Confederation of Fascist Industrial Trade Unions and the other two from the representatives of the National Confederation of Fascist Commercial Trade Unions, the National Confederation of Fascist Banking Trade Unions and the National Confederation of Fascist Trade Unions for Land Transport and Inland Navigation;
 5. the Director-General of the National Social Insurance Institution.
53. The governing body referred to in the preceding section shall decide respecting the following matters:—
1. the drawing up of the standing orders of the Fund;
 2. the gradual constitution of a reserve fund to which the annual surplus shall be allotted until it has reached an amount equal to at least half of the average sum paid out in benefit during the last three years;
 3. the annual accounts to be submitted to the governing body of the National Social Insurance Institution for its approval;
 4. the selection of local maternity funds and in general of the committees, institutions and individuals deemed suitable for undertaking medical maternity relief and carrying out other relief measures for the benefit of mothers which the National Maternity Fund proposes to carry out in particular localities, and also the duties of the Fund itself, with the exception of those relating to the collection of contributions and the payment of benefit;
 5. any appeals which may be made with respect to contributions and benefits.

The governing body shall give its opinion on questions which may arise relating to the application of the provisions respecting maternity insurance, and shall submit its views to the Ministry of Corporations.

An appeal against the decisions mentioned under no. 5 above may be made to the Minister of Corporations, whose decision shall be final.

54. The National Maternity Fund shall notify the Ministry of Corporations and the Ministry of Finance at the end of each quarter of the number of allowances paid by it during the three months in question.

On the basis of the notification and after the requisite verification, the quota of 18 lire advanced by the Fund on behalf of the State in respect of each childbirth or miscarriage shall be repaid.

In addition, the National Maternity Fund shall submit every year to the Ministry of Corporations and to the Ministry of Finance a statement of accounts and a report on the operations of the Fund; this report

shall contain statistics respecting the allowances paid by the Fund, showing separately those paid for childbirth and those for miscarriages.

55. Allowances shall be paid through the provincial offices of the National Social Insurance Institution, the local administrative bodies for unemployment insurance referred to in section 75 of Regulations no. 2270 of 7th December, 1924⁹, or the post offices.

56. The statement of accounts and report on the annual operations of the National Maternity Fund shall be subject to the approval of the governing body of the National Social Insurance Institution.

57. The financial year of the National Maternity Fund shall begin on 1st January and end on 31st December.

58. The standing orders of the National Maternity Fund, which shall be approved by a Decree of the Minister of Corporations, shall specify *inter alia*:—

- the conditions for the validity of the meetings and decisions of the governing body;
- the rules and time limits for the preparation of the annual statement of accounts;
- the methods for the preparation of the annual report and accounts, and the time limits for the submission of the report and the said accounts to the Ministry of Corporations;
- the methods of keeping the minutes of the meetings of the governing body.

59. The board of auditors of the National Social Insurance Institution shall exercise the duties proper to it with respect to the National Maternity Fund also.

Medical certificates and examinations.

60. The certificates and all documents prescribed in these Regulations shall be exempt from stamp duty and registration fees and shall be issued entirely free of charge.

61. Health officers, communal medical officers and midwives and medical officers of recognised relief institutions shall carry out their duties with respect to the medical information necessary for the purposes of the observance of these Regulations without charges of any kind for either the maternity insurance system, the unemployment insurance system, the female wage-earning and salaried employees or the employers concerned.

Penalties.

62. Any employer who is guilty of a contravention of the provisions of these Regulations shall be liable to:—

- (a) a fine not exceeding 50 lire for a contravention of section 9 (second paragraph), 10 (fourth paragraph), 11 (fourth paragraph), 13 (second paragraph), 14, 15 (second paragraph), 17 (second or third paragraph), 18 (third paragraph) or 22 (second paragraph);

⁹ Decree to approve the regulations for the administration of Decree no. 3158 of 30th December, 1923 [see Legislative Series, 1923 (It. 10)] respecting compulsory insurance against unemployment.

(b) a fine of not less than 50 nor more than 200 lire for a contravention of section 9 (first paragraph), 10 (first paragraph) or 18 (first or second paragraph);

(c) a fine of not less than 50 nor more than 500 lire for a contravention of section 20.

In the event of a repetition of the offence the fine shall be increased by not less than one-sixth nor more than one-third.

The proceeds of the fines shall accrue to the National Maternity Fund.

63. In the case of contraventions covered by this Decree for which the penalty prescribed is a fine not exceeding 300 lire, the offender on an application to the National Maternity Fund signed by him (which shall be deemed to be irrevocable) may be allowed to compound for a donation.

On the basis of the application the governing body of the Fund shall fix at its discretion, by an enforceable decision, the sum to be paid by the offender by way of a donation.

Supervision.

64. The corporative inspectorate shall be responsible for supervision of the observance of the provisions of Act no. 2157 (consolidated text) of 24th September, 1923⁶, Legislative Decree no. 850 of 13th May, 1929¹, and these Regulations.

Transitional and concluding provisions.

65. The maternity insurance contribution for the year 1930 shall be paid, with respect to female wage-earning and salaried employees who become liable to the said insurance in pursuance of the Legislative Decree, within two months of the coming into operation of these Regulations, without prejudice to the validity for all purposes of the contributions paid for the year in question in the manner provided in Regulations no. 1071 of 21st June, 1917.

In cases in which during the first period of the application of these Regulations (but not after 31st December, 1930) it has not been possible to produce in the manner prescribed certain of the documents requisite for the payment of allowances, the National Social Insurance Institution shall have power to request in lieu thereof the production of such equivalent documents as it considers necessary in order to ascertain the right to the payment of the allowance.

66. These Regulations shall come into operation on the date of their publication in the *Gazzetta Ufficiale* of the Kingdom.

The regulations for the administration of the Act respecting the Maternity Fund which were approved by Decree no. 1071 of 21st June, 1917, shall be repealed as from the aforesaid date.

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